IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital the 28th day of July 2005

Criminal Misc. Bail Application No. 647/2005

Order on the bail application of accused

CRIMINAL SIDE

Aleem Khan S/o Munney Khan
R/o Mohalla Pahari Gate
Khajan Khan's Well
P.S. Gunj
District Rampur .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of case crime No.1416 of 2005
U/s 363, 366, 376 I.P.C.
P.S. Rudrapur
District U. S. Nagar

Hon'ble J. C. S. Rawat, J.

Heard Sri I. S. Mehta learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The learned counsel for the applicant has filed the photocopy of date of birth of the alleged prosecutrix, in which her date of birth is 27.1.1987. As such, the prosecutrix is major. According to the statement recorded under section 161 Cr.P.C., she went outside by her own accord stating her parents that she is going to take medicines. When she reached at the bus-stop, the applicant met her. Thereafter, they travelled different places. The learned counsel for the applicant contended that she was taken from one place to other places and she kept silent and did not make any hue and cry. As such, she is the consenting party. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

Dated 28.07.2005 **(J.C.S. Rawat, J.)**

LSR